



# Legislative Oversight and Sunset Act



*This summarizes primary aspects of Utah Code Ann., Title 63I, Chapter 1, Legislative Oversight and Sunset Act, (Act) and is not a comprehensive analysis. For more detailed information, please review the Act or contact the Office of Legislative Research and General Counsel.*

**PURPOSE:**

The purpose of a sunset review is to evaluate whether a statute or agency (including any state authority, board, commission, department, division, or office) is meeting a **clear public purpose** and to improve the ability of state government to meet and fulfill **legitimate public purposes**.

**WHO MAY CONDUCT:**

An interim committee may review any statute or agency scheduled for termination at the direction of:

- the Legislative Management Committee;
- the chairs of an interim committee; or
- an interim committee as approved by motion and majority vote.

**AGENCY & COMMITTEE DUTIES:**

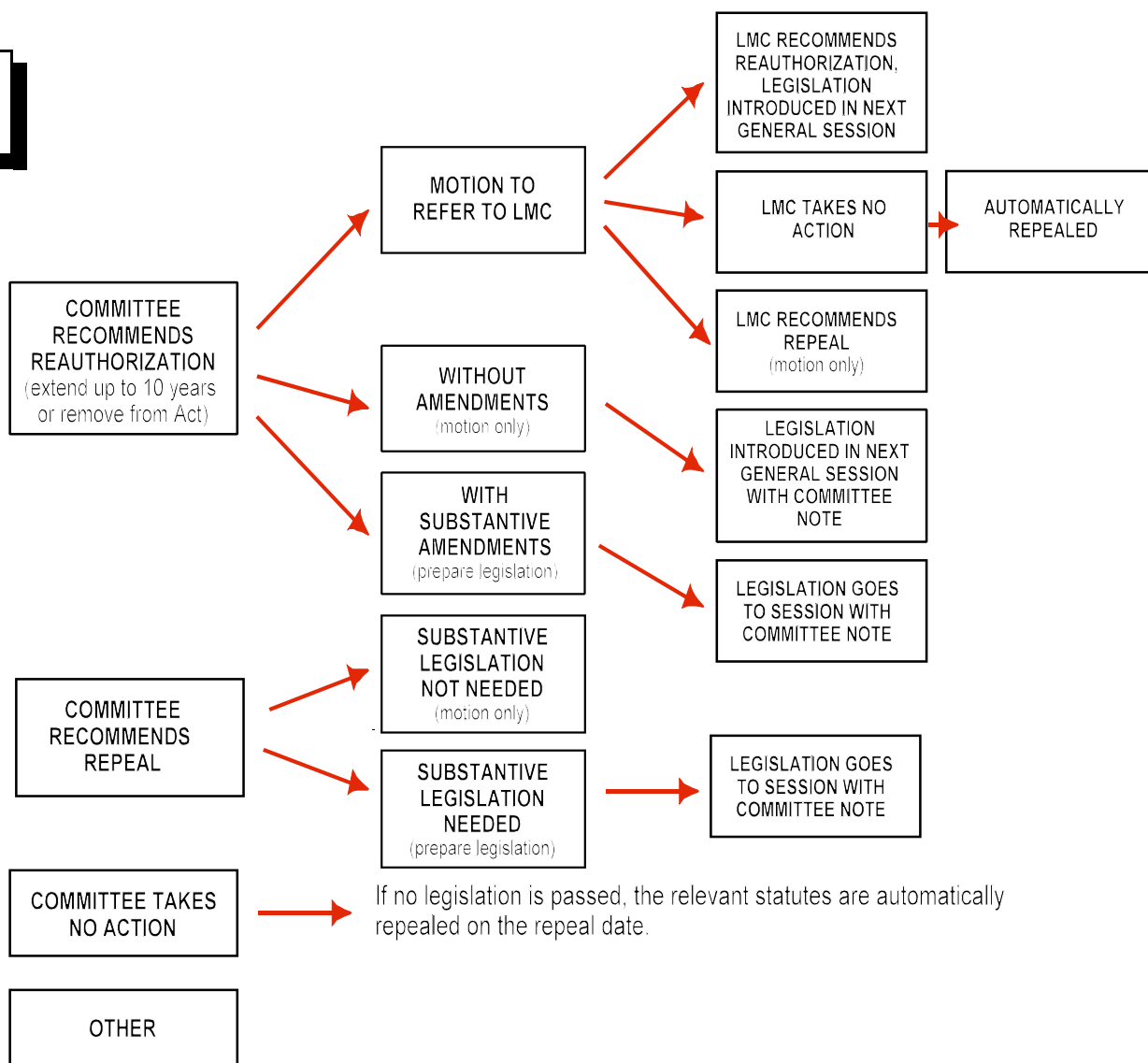
**Agency:** The agency shall clearly identify the public purpose and interest for which the statute or agency subject to review was originally created and clearly identify whether that public purpose and interest is still relevant.

**Interim committee:** The interim committee shall then consider:

- To what extent does the statute/agency operate in the public interest and are there any areas in which the statute/agency needs to improve its ability to operate in the public interest?
- To what extent do existing statutes interfere with or assist the legitimate functions of the statute/agency, and are there any other circumstances including budgetary, resource, and personnel matters that have a bearing on the capacity of the statute/agency to serve the public interest?
- To what extent is the public encouraged to participate in the adoption of the rules established in connection with the statute/agency?
- To what extent are the statute's provisions or agency's programs and services duplicative of those offered by other statutes or state agencies?
- To what extent are the objectives of the statute/agency accomplished and what is their public benefit?
- What would be the adverse effect, if any, on the public of terminating the statute/agency?
- Are there any other matters relevant to the review of the statute/agency?

The interim committee is to "submit a report of its recommendations, including proposed legislation and recommendations concerning the statute or agency, to the Legislature before January 1 of the year in which the agency is scheduled for termination."

## OPTIONS FOR COMMITTEE:



## OPTIONS FOR LEGISLATURE:

If the Legislature determines that the public interest requires the continued existence of the statute or agency, it shall reauthorize the statute or agency. However, a statute or agency is repealed unless it is reauthorized by an affirmative act of the Legislature.